



Issued: 12/06/19

**TOWN PLAN AND ZONING COMMISSION SPECIAL MEETING
WEDNESDAY, DECEMBER 4, 2019
ROOM 217
TOWN HALL, WEST HARTFORD, CT 06107**

FINAL MINUTES

ATTENDANCE: Chair: Kevin Ahern, Vice Chair: Kevin Prestage, Commissioner: Liz Gillette, Alternates: Gordon Binkhorst, Andrea Gomes. Staff: Todd Dumais, Town Planner; Catherine Dorau, Associate Planner

ABSENT: Commissioners: John O'Donnell, Michele Maresca

CALL TO ORDER/ROLL CALL: 7:00 P.M.

MATTERS FOR PUBLIC HEARING SHALL BE CALLED AT 7:15 P.M.

Gordon Binkhorst seated for Michele Maresca and Andrea Gomes seated for John O'Donnell on all items.

MINUTES:

1. Approval of Minutes:
 - a. Minutes of the Regular Meeting, Wednesday, November 6, 2019
Motion/Binkhorst; Second/Gomes; Vote 5-0.

COMMUNICATIONS:

2.
 - a. Letter of Maureen K. McClay (48 Manchester Circle) regarding temporary dog park. *Received – No action taken.*

NEW BUSINESS:

3. **17-19 Sedgwick Road** – Application (IWW# 1116) of Craig Yelin, requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities,

which may have an adverse impact on a wetland area. The applicant is requesting the relocation of an existing dumpster pad onto leased land from the town of West Hartford totaling approximately 211 s.f. The proposed project takes place within 150' upland review areas. (Submitted for IWWA receipt on December 4, 2019. Presented for determination of significance.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote (5-0)** (Motion/Prestage, Second/Gillette) (Binkhorst Seated for Maresca, Gomes seated for O'Donnell) to find the proposed regulated activity to be **POTENTIALLY SIGNIFICANT** and set this matter for public hearing on **Monday, January 6, 2020 at 7:15 P.M. in Legislative Chambers, Room 314, West Hartford Town Hall, 50 South Main Street.**

4. **36 Ferncliff Drive** – Application (IWW# 1118) of Jason Levesque, requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities, which may have an adverse impact on a wetland area. The applicant is proposing the construction of a new single family home and garage with an approximately 2,821 s.f. footprint; with associated grading, drainage, and utility improvements. A portion of the proposed project takes place within 150' upland review areas. (Submitted for IWWA receipt on December 4, 2019. Presented for determination of significance.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote (5-0)** (Motion/Gillette, Second/Prestage) (Binkhorst Seated for Maresca, Gomes seated for O'Donnell) to find the proposed regulated activity to be **POTENTIALLY SIGNIFICANT** and set this matter for public hearing on **Monday, January 6, 2020 at 7:15 P.M. in Legislative Chambers, Room 314, West Hartford Town Hall, 50 South Main Street.**

5. **1800 Asylum Avenue** – Application (IWW #1117) of Bestech Inc. on behalf of Fintech Village, LLC c/o Ideanomics, Inc. (R.O.) requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a wetlands regulated area. The requested activities include the abatement and removal of the former Undergraduate building and soils adjacent to the building. A portion of the proposed activities are within a 150' upland review area. No direct wetlands impacts are proposed. (Submitted for IWWA receipt on December 4, 2019. Presented for determination of significance.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, in accordance with the Town of West Hartford Inland Wetlands and Watercourse Regulations, a motion was made by the IWWA (Motion/Binkhorst, Second/Prestage) (Binkhorst seated for Maresca, Gomes seated for O'Donnell) to find the application to be non-significant. By a **vote of (5-0)**, the motion passed and proposed regulated activity was found to be **NON-SIGNIFICANT** and thus conditionally approved the based on the following findings:

1800 ASYLUM AVENUE
INLAND WETLAND APPLICATION IWW #1117
COMPLIANCE WITH SECTION 10.2 and 10.4
STANDARDS AND CRITERIA FOR DECISION

The request to conduct certain regulated activities at **1800 Asylum Avenue** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1117** should be approved as the Standards and Criteria for Decision as set forth in the Inland Wetlands and Watercourses Regulations for the Town of West Hartford in Section 10.2 have been favorably met. During its discussions and deliberations on this matter, the agency made the following findings:

[1.] The environmental impact of the proposed regulated activity on wetlands or watercourses will not be so significant as to warrant the denial of this application.

[2.] The applicant's purpose for the proposed regulated activity is a valid and useful one which alternatives would cause less or no environmental impact to wetlands or watercourses;

[3.] The feasible and prudent alternatives to the proposed activity have been analyzed by the applicant and the proposed activity is likely to cause less or no environmental impact to wetlands or watercourses than those alternatives.

[4.] The short-term and long-term impacts of the proposed regulated activity on wetlands or watercourses are not to be so significant as to warrant denial of this application.

[5.] The long term productivity of the wetlands or watercourses will not be damaged by the approval of this application;

[6.] The proposed regulated activity will not cause irreversible and irretrievable loss of wetland or watercourse resources.

[7.] The proposed regulated activity neither threatens nor impacts the safety, health or reasonable use of property; and

[8.] The proposed regulated activity and future activities associated with or reasonably related to, the proposed regulated activities, which are made inevitable by the proposed regulated activity, will not have significant impacts on wetlands or watercourses outside the area for which the activity is proposed.

In addition, the Agency considered measures, which would mitigate the impact of the proposed activity and may be imposed as conditions of the permit. Such measures include the availability of further technical improvements or safeguards which could feasibly be added to the plan or action to avoid the reduction of or damage to the wetland's or watercourses natural capacity to support desirable biological life, prevent flooding, supply water, control sedimentation and/or prevent erosion, assimilate wastes, facilitate drainage, and provide recreation and open space. The Agency renders its decision to issue this permit on the following considerations and criteria:

- A. That the natural functions and quality of water in local drainage systems both on and off-site shall be preserved and maintained.
- B. That the overall impact of this development on the environment will be kept to a minimum if the conditions imposed by this permit are carried out by the applicant.

- C. There are no reasonable and prudent alternatives which will allow the same activity to be carried out on the proposed site.
- D. During the period when this permit remains in force, the applicant and the Inland Wetland and Watercourses Agency will be working together in good faith to resolve any matters that may arise relative to the environmental impact on the community due to the activities of the applicant.

The Agency hereby authorizes the applicant to conduct a series of regulated activities on a parcel of land which falls under the jurisdiction of the Inland Wetlands and Watercourse Act of the Connecticut General Statutes and the Inland Wetlands and Watercourses Regulations of the Town of West Hartford. Said parcel(s) of land is located **1800 Asylum Avenue**.

This permit is issued and made subject to the following conditions:

- 1.) Plans of record are incorporated by reference in this permit as fully set forth herein and modified by the conditions below.
- 2.) The wetland permit is subject to full compliance with the Town erosion and sediment requirements and shall be installed and maintained in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control as amended.
- 3.) Weekly inspection reports of the sediment and erosion controls shall be submitted to the Town Planner. Additional erosion and sediment control measures shall be implemented and/or installed throughout the course of construction as/if deemed necessary and directed by the Design Engineer and/or West Hartford Town officials.
- 4.) Prior to the start of any site disturbance, all sediment and erosion controls and tree protection shall be installed. Once installed, but before the commencement of any disturbance, the Town Planner shall be notified and provided the opportunity to inspect.
- 5.) No additional work in the wetlands area is permitted without the prior review and approval of the Agency.
- 6.) All demolition and remediation equipment shall be properly stored.
- 7.) Monthly progress reports on the status of the demolition and soil remediation work shall be submitted to the Town Planner and transmitted to the Agency.
- 8.) The Agency shall receive copies of all materials, correspondence and permits received from Connecticut Department of Energy and Environmental Protection and the United States Environmental Protection Agency.
- 9.) The permit shall expire if not exercised within five (5) years from the date of issuance, or date of final resolution of any legal action challenging this permit. This permit shall not be assigned, transferred, sublet or sold to any other person without written permission of the Agency.

OLD BUSINESS:

6. **None**

TOWN COUNCIL REFERRAL:

7. **None**

WEST HARTFORD PLAN OF CONSERVATION AND DEVELOPMENT UPDATE:

8. **Plan of Conservation and Development Update:** Review of latest draft of the POCD update
The TPZ adopted a Resolution to Transmit the 2019-2029 Plan of Conservation and Development to the Town Council of West Hartford. Motion/Prestage; Second/Gillette; Vote 5-0.

TOWN PLANNER'S REPORT:

9. **None**

INFORMATION ITEMS:

10. **2019 CRS Annual Meeting:** Review of the Town's participation and the TPZ's role in the Federal Emergency Management Agency's (FEMA) Community Rating Systems (CRS) program. *Todd Dumais, Town Planner, reviewed the Town's participation in the program. No action was taken.*

MEETING ADJOURNED: 8:45 P.M.